

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

07/05/2001

CLERK OF THE COURT
FORM L000

HONORABLE MICHAEL D. JONES

P. M. Espinoza
Deputy

LC 2001-000031

FILED: _____

STATE OF ARIZONA

B DON TAYLOR

v.

EUGENE H PAYNE

BRUCE A ALLDREDGE

PHX MUNICIPAL CT
REMAND DESK CR-CCC

MINUTE ENTRY

PHOENIX CITY COURT

Cit. No. #8943981

Charge: ASSAULT

DOB: 10/17/31

DOC: 05/26/00

This Court has jurisdiction of this appeal pursuant to the Arizona Constitution Article VI, Section 16, and A.R.S. Section 12-124(A).

This case has been under advisement since assignment to this division. The Court has considered and reviewed the record

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of the proceedings from the trial court, and the memoranda of counsel.

Appellant was charged by complaint with Assault, a class 3 misdemeanor in violation of A.R.S. Section 13-1203(A)(3). Appellant was convicted after a trial to the court on January 9, 2001. The Court placed Appellant on probation for a period of one (1) year and ordered Appellant not to "harm, threaten or harass Joseph Warner (the victim), ordered Appellant to serve five (5) days in jail, and ordered that the jail sentence would be suspended pending Appellant's successful completion of the "Positive Alternative's Program". Appellant was ordered to report for counseling to the Positive Alternative's Program within three working days. Appellant filed a timely Notice of Appeal in this matter. Counsel for Appellant filed a brief pursuant to Anders v. California, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493(1967). The Court has also reviewed the record for error and found none.

IT IS THEREFORE ORDERED affirming the judgment of guilt and sentence imposed by the trial court.

IT IS FURTHER ORDERED remanding this matter back to the Phoenix City Court for further proceedings.